

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 12/11/2012	(3) CONTACT/PHONE Terry Wahler, Senior Planner/(805) 781-5621	
(4) SUBJECT Submittal of five resolutions approving new and amended land conservation contracts (Clerk's File) pursuant to the California Land Conservation Act of 1965 (Supervisory Districts No.1, 2 & 5)			
(5) RECOMMENDED ACTION Adopt and instruct the chairperson to sign all resolutions approving new and amended land conservation contracts.			
(6) FUNDING SOURCE(S) Application fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$66,591	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) District 1 - District 2 - District 5			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Terry Wahler, Senior Planner

VIA: Ellen Carroll, Environmental Coordinator

DATE: 12/11/2012

SUBJECT: Submittal of five resolutions approving new and amended land conservation contracts (Clerk's File) pursuant to the California Land Conservation Act of 1965 (Supervisory Districts No.1, 2 & 5)

RECOMMENDATION

Adopt and instruct the chairperson to sign all resolutions approving new and amended land conservation contracts.

DISCUSSION

The following are brief descriptions of each applicant's request for a new (or amended) land conservation contract.

- A. FILE NUMBER AGP2011-00004 – Proposal by the Patrick Nagano Trust to enter into a Land Conservation Contract. The property consists of approximately 21.0 acres within the Agriculture land use category, located at 1675 Nagano Road, approximately 500 feet north of the intersection of Nagano Road and Little Morro Creek Road, approximately 2,700 feet northeast of the City of Morro Bay. The site is in the Estero planning area. Assessor Parcel No.: 073-051-040 Supervisorial District No. 2
- B. FILE NUMBER AGP2010-00015 – Proposal by Jorian Clarke to enter into a land conservation contract. The property consists of approximately 634.5 acres within the Rural Lands land use category and is located at 9017 Goldie Lane approximately 2,500 feet north of Calf Canyon Highway, approximately 4 miles due south of the Community of Creston. The site is in the El Pomar planning area. Assessor Parcel Nos.: 043-291-030 & 031; Supervisorial District No. 5
- C. FILE NUMBER AGP2011-00005 - Proposal by Jay Te Velde to rescind an existing land conservation contract and enter into a new land conservation contract for property that is currently in non-renewal. The property consists of approximately 282 acres located within the Agriculture land use category, at 2455 Highway 46 West between Highway 46 and Las Tablas Road adjacent to the community of Templeton. The site is in the Rural Adelaida and Salinas River planning areas. Assessor Parcel Nos.: 040-111-022; 040-171-005; 040-181-001; 040-241-021 & 022; Supervisorial District No. 1

- D. FILE NUMBER AGP2012-00002 – Proposal by the Attiyeh Foundation to add approximately 40 acres of land to an existing land conservation contract. The property is located within the Agriculture & Rural Lands land use categories at the southernmost bend in the Nacimiento River approximately 3.5 miles west of the Oak Shores Village Area. The site is located in the Nacimiento planning area. APN: 080-211-013; Supervisorial District No. 1
- E. FILE NUMBER AGP2012-00003 – Proposal by JJ Whippet, LLC to rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract for property that is currently in non-renewal. The property consists of approximately 607 acres located within the Agriculture land use category, at 1991 Thunder Canyon Road north of the intersection of Cayucos Creek Road and Thunder Canyon Road, approximately 2.5 miles north of the community of Cayucos. The site is in the Rural Adelaida planning area. Assessor Parcel Nos.: 046-121-057, 058, 059; 060, 061, 062, 063, 064 & 065; Supervisorial District No. 2

The requests are for new standard form land conservation contracts or contract amendments.

OTHER AGENCY INVOLVEMENT/IMPACT

The new and amended agricultural preserves associated with these contracts were approved by your Board previously at public hearings and reviewed by both the Agricultural Preserve Review Committee and the Planning Commission earlier this year and recommended for approval. The Agricultural Preserve Review Committee includes representatives from the Agricultural Liaison Committee, the Assessor's Office, the Agriculture Department, the Department of Planning and Building and the Farm Advisor's Office. County Counsel reviewed and approved the resolution and contract as to form and legal effect.

FINANCIAL CONSIDERATIONS

Approval of land conservation contracts usually results in a significant reduction in county tax revenues received from the affected properties. Revenue losses have been in past years only partly compensated by state subventions but no subventions have been received since 2008/2009. However, the overall tax impacts should be considered on a program-wide basis rather than on an individual application basis.

The Assessor's Office has provided preliminary estimates of reductions in assessment values for the properties being considered today. The total estimated annual reduction in property taxes for the five properties is \$66,591.

RESULTS

The approval and recording of the land conservation contract will keep the subject property in agricultural and compatible uses for an initial term of 20 years, and upon reaching ten years, maintain a ten year term thereafter.

ATTACHMENTS

Attachment A1 - Nagano Resolution
Attachment A2 - Nagano Exhibit A
Attachment B1 - 1096, LLC/Clarke Resolution
Attachment B2 - 1096, LLC/Clarke - Exhibit A
Attachment C1 - Te Velde Resolution
Attachment C2 - Te Velde - Exhibit A
Attachment D1 - Attiyeh Foundation Resolution
Attachment D2 - Attiyeh Foundation Exhibit A
Attachment E1 - JJ Whippet, LLC Resolution
Attachment E2 - JJ Whippet, LLC Exhibit A
Attachment F - List of Clerk's Filed Contracts